

REMARKS

Introduction

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claim 1 has been amended, no claims have been cancelled, and no claims have been added. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Thus, claims 1-4, 6, and 25-29 remain pending in the application.

In addition, the Applicant would like to thank Examiner Fick for his comments and suggestions in the telephone interview held December 17, 2007. In the interview, Examiner Fick acknowledged one of ordinary skill in the art would know that charged molecules rather than electrons pass through the membrane and therefore statements regarding electrons passing through the membrane are an obvious error.

Specification

Paragraph [0020] of the specification has been amended to replace “electrons” with “charged molecules.” As acknowledged by the Examiner in the previous office action, solutions conduct ions, not free electrons. Further, as is well known in electrochemistry, membranes between half cells are designed to allow the conduction of charged molecules (ions) to maintain electrical neutrality while preventing the half cell solutions from mixing with each other. Attached herewith are excerpts from two chemistry texts which confirm that solutions conduct charged molecules (ions) and that charged molecules conduct through the barrier between electrochemical half cells to maintain electrical neutrality in the solutions. (Robert S. Boikes and Edward Edelson, Chemical Principles Second Edition 552-53 (Harper & Row, Publishers 1981); Richard E. Dickerson, Harry B. Gray, and Gilbert P Haight, Jr., Chemical Principles 737-40 (W. A. Benjamin, Inc. 1973)). Applicants submit the amendment to the specification corrects an obvious error and is not new matter.

Rejection Under 35 U.S.C. § 112

Claims 1-4, 6, and 25-29 were rejected under 35 U.S.C. § 112 first paragraph for lack of enablement. Specifically, the claims were rejected for reciting passing electrons through the membrane. Applicants respectfully traverse this rejection.

Claim 1 has been amended to recite “wherein a potential applied to the first and second electrodes passes *charged molecules* from the first fluid passage to the second fluid passage through the membrane.” Support for this amendment can be found in amended paragraph [0020] of the specification. Additionally, Applicants note that the cited text from Manz is not exactly correct. That is, as stated Manz is misleading. While dry agarose is indeed nonconductive, gels prepared from agarose are conductive. Thus, more accurately Manz should read “Electrophoretic separations can be performed in free solution or in a solution containing a non-conductive matrix *formed from* agarose or polyacrylamide gel.” Applicants submit that amended claim 1 and the claims that depend from claim 1 are enabled and respectfully request withdrawal of the rejection.

Conclusion

In light of the foregoing, Applicants respectfully submit that all pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Dated: January 2, 2008

Respectfully submitted,

By /Martin S. Sulsky/
Martin S. Sulsky
Registration No.: 45,403
DARBY & DARBY P.C.
P.O. Box 770
Church Street Station
New York, New York 10008-0770
(202) 639-7514
(212) 527-7701 Fax
Attorneys/Agents For Intel Corporation